

REMARKS

Applicant has the following response to the Final Rejection of January 24, 2007. It is respectfully requested that this amendment be entered.

Claim Rejections - 35 USC §112

In the Final Rejection, the Examiner rejected Claims 1-36 under 35 USC §112, first paragraph, as failing to comply with the written description requirement. More specifically, the Examiner contends that the phrase “an insulating film over the EL element” of Claims 1, 9, 19 and 28 is not supported by the specification. This rejection is respectfully traversed.

Initially, Applicant notes that in support of the rejection, the Examiner cites MPEP 2173.05(i), Negative Limitations. However, the objected to phrase is not a negative limitation, it is the positive recital of a feature of the present invention. Therefore, it is believed that the Examiner’s rejection is incorrect. Further, as Applicant previously explained, there is support for this feature. Accordingly, it is respectfully requested that the Examiner withdraw this objection and this Final Rejection, and issue a new Office Action.

Further, while Applicant traverses this rejection, in order to advance the prosecution of this application and to clarify the claim language, Applicant is amending independent Claims 1, 9, 19 and 28 to delete the objected to language. Applicant is also amending Claims 1 and 9 to recite “an insulating layer over the EL element and the applying means for applying an image signal to the EL element” and amending Claims 19 and 28 to recite “an insulating layer over the EL element and the source driver circuit.” These features are clearly supported by the specification, such as for example, at page 20, line 19 - page 21, line 2 (e.g. the second passivation film, which can be an insulating film, is over the EL element).

Therefore, it is respectfully requested that this rejection be withdrawn.

Claim Rejections - 35 USC §103

The Examiner has the following rejections under 35 USC §103(a):

1. Claims 1-3, 9-12, 18-22 and 28-31 are rejected as being unpatentable over Yamada et al. (US 5,990,629) in view of Inoguchi et al. (US 6,262,531).
2. Claims 5-7, 14-16, 24-26 and 33-35 are rejected as being unpatentable over Yamada et al. and Inoguchi et al. in view of Yamazaki et al. (US 6,388,652).
3. Claims 8, 17, 27 and 36 are rejected as being unpatentable over Yamada et al. and Inoguchi et al. in view of Yamazaki et al. '652 and further in view of Yamazaki et al. (US 6,445,005).
4. Claims 4, 13, 23 and 32 are rejected as being unpatentable over Yamada et al. and Inoguchi et al. in view of Yamazaki et al. '652 and further in view of Choi (US 6,583,577).

These rejections are respectfully traversed.

While Applicant traverses these rejections, as explained above, Applicant has amended independent Claims 1, 9, 19 and 28. It is respectfully submitted that none of the cited references disclose the above added features of Claims 1, 9, 19 and 28.

Therefore, independent Claims 1, 9, 19 and 28 are not disclosed or suggested by the cited references, and Claims 1, 9, 19 and 28 and those claims dependent thereon are patentable over these references. Accordingly, it is respectfully requested that these rejections be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

Please charge our deposit account 50/1039 for any fee due for this amendment.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Dated: April 24, 2007

/Mark J. Murphy/
Mark J. Murphy
Registration No.: 34,225

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street, Suite 2850
Chicago, Illinois 60606
(312) 236-8500

Customer No. 26568